

REMARKS

Claims 1, 4-14 and 16-21 are pending. The claim rejections were made final by the office action mailed July 7, 2008. This amendment and response is therefore submitted under 37 C.F.R. §1.114 with a Request for Continued Examination under 37 C.F.R. §1.114.

This amendment adds new dependent claim 22. Upon entry of this amendment, claims 1, 4-14 and 16-22 will be pending. Since the total claim count after entry of this amendment will *remain* less than 20, no additional fee should be required for the examination of new claim 22.

Referring now to the final rejection, the Examiner withdrew the previously-made rejections that were made under §102(e) but rejected the claims instead under §103(a) by combining the teachings of *Friend* (U.S. patent 7,243,163 to Friend et al.) with U.S. patent 6,449,622 to LaRue et al. The Examiner contends that the subject matter recited in each of claims 1, 4-13 and 16-21, would have been obvious at the time of the Applicants' invention, to anyone of ordinary skill in the art.

The Applicants respectfully disagree with the Examiner and re-assert arguments made in their previous responses. They nevertheless have amended the independent claims again in order to further distinguish the claimed subject matter from *Friend* and *LaRue*, so as to expedite prosecution and issuance of their patent.

Paraphrased, claims 1, 13 and 22 now require the session state information generator to be capable of initiating and conducting a synchronization session, *without a synchronization-connecting, session-establishing process*. New claim 22, which depends from claim 1, requires both the session state information generator at the network and at

the mobile node to be able to initiate synchronization sessions *at the same time*. In other words, the independent claims now recite that a synchronization session can be initiated, “without notice” to the other side, by either the mobile node or the network node. Claim 22 additionally requires a no-notice sync session be “initiated” simultaneously, or at the same time, by the mobile node and the network.

Support for the amendments to claims 1, 13 and 22, and support for new claim 22 can be found in paragraphs [0044] and [0046] of the published application. No new matter has been added.

The Applicants are unable to locate in the cited references, any sort of teaching or suggestion that a mobile device or a network can effectuate a database synchronization session without any sort of communication-session set up. The Applicants are also unable to locate in the references, any sort of teaching that the mobile node and a network can both initiate a synchronization session at the same time. The Applicants therefore contend that amended claims 1, 13 are in condition for allowance because no reference or combination of references shows or suggests the subject matter recited in the amended claims. Claims that depend from the amended claims are therefore also in condition for allowance.

If the Examiner contends that the amended independent claims would have been obvious in view of the *Friend* and *LaBue* references, the Applicants ask the Examiner to identify by column and line number, where the new independent claim limitations can be found. If new claim 22 is rejected as being obvious, the Applicants ask the Examiner to identify by column and line number where the subject matter of claim 22 can be found.

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In light of the foregoing, claims 1, 4-14 and 16-22 are believed to be in condition for allowance. Accordingly, reexamination and reconsideration of the claims is respectfully requested. Such action is earnestly solicited.

Respectfully submitted,

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